

Board Members

James J. Cox, Ed.D.
Chairperson
Miki Paul, Ph.D.
Vice-Chairperson
Gary D. Lovejoy, Ph.D.
Secretary
Melissa Del-Colle
Ramona N. Mellott, Ph.D.
Joseph C. Donaldson
Byron N. Rimm
Maryann Santos de Barona, Ph.D.
Fred Wiggins, Ph.D.



**State of Arizona
Board of Psychologist Examiners**

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Staff

Maxine McCarthy
Executive Director
Marcus E. Harvey
Deputy Director
Korena Schaaf
Investigator
Shari S. Courtney
Administrative
Assistant

REGULAR SESSION MINUTES

Friday, February 3, 2006

1400 West Washington
Basement Conference Room, #B-1
Phoenix, AZ 85007

1. CALL TO ORDER

The regular session of the Arizona State Board of Psychologist Examiners was called to order by Chairperson Cox at 8:35 a.m. on Friday, February 3, 2006. One Executive Session was held from 9:25 a.m. to 9:51 a.m. for the purpose of obtaining confidential legal advice from the Board's attorney.

2. ROLL CALL

Board Members Present

James J. Cox, Ed.D. - Chairperson
Miki Paul, Ph.D. - Vice-Chairperson
Gary D. Lovejoy, Ph.D. - Secretary
Joseph C. Donaldson
Ramona N. Mellott, Ph.D.
Byron N. Rimm
Fred Wiggins, Ph.D.

Board Members Absent

Melissa Del-Colle
Maryann Santos de Barona, Ph.D.

Staff Present

Maxine McCarthy, Executive Director
Marcus Harvey, Deputy Director
Korena Schaaf, Investigator
Shari Courtney, Administrative Assistant

Attorney General's Office

Elizabeth Campbell, Esq.
Assistant Attorney General

Solicitor General's Office¹

Victoria Mangiapane, Esq.
Assistant Attorney General

3. REMARKS/ANNOUNCEMENTS

Chairperson Cox welcomed and introduced Dr. Ramona Mellott to the Board who was appointed by Governor Napolitano to replace Dr. Rohrbaugh. Dr. Cox then informed the Board concerning new procedures that he was implementing as Chairperson. He also stated that documentation was available for licensees who wished to receive continuing education credit for attending Board meetings and explained the procedures for documenting the attendance and announced that anyone was welcome to complete a Board meeting assessment survey.

¹ Present only for Agenda item nos. 8 and 9.

4. APPROVAL OF MINUTES

- **Regular Session – December 2, 2005** – A motion was made by Dr. Lovejoy, seconded by Dr. Paul, and carried (6-0-1), with Dr. Mellott abstaining, to approve the December 2, 2005 Regular Session minutes.
- **Executive Session – December 2, 2005** – A motion was made by Dr. Paul, seconded by Dr. Wiggins, and carried (6-0-1), with Dr. Mellott abstaining, to approve the December 2, 2005 Executive Session minutes.
- **Conference Call Regular Session – January 6, 2006** – A motion was made by Mr. Donaldson, seconded by Dr. Wiggins, and carried (6-0-1), with Dr. Mellott abstaining, to approve the January 6, 2006 Conference Call Regular Session minutes.
- **Conference Call Regular Session – January 23, 2006** – Finally, a motion was made by Dr. Lovejoy, seconded by Dr. Paul, and unanimously carried (7-0), to approve the January 23, 2006 Conference Call Regular Session minutes.

5. CALL TO THE PUBLIC

Chairperson Cox gave the public the opportunity to address the Board at this time and Dr. Richard Morris was present to speak, asking the Board consider including an exemption from licensure for school psychologists who work in charter schools as a part of the Board's statute changes.

6. CASE DISCUSSION/DECISION

a) Jennifer Caughlin, Ph.D. – No. 05-41

The Board proceeded to discuss this case and considered the draft consent agreement that the Complaint Screening Committee had directed staff to prepare. Ms. McCarthy informed the Board that Dr. Caughlin had now completed the remaining hours of continuing education that she had previously failed to complete. Ms. Campbell recommended some modifications to the draft consent agreement in light of this circumstance. Dr. Paul made a motion which was seconded by Dr. Lovejoy, to approve this consent agreement as modified, and to offer it to Dr. Caughlin. If Dr. Caughlin declined to accept the consent agreement, she would be invited to an informal interview before the Board. The motion carried unanimously (7-0).

7. MID-MORNING BREAK

8. PRESENTATION/TRAINING ON OPEN MEETING LAWS AND ATTORNEY GENERAL OPINION ON E-MAIL PROCEDURES

Victoria Mangiapane, Esq., Assistant Attorney General, explained to the Board the requirements of Arizona's Open Meeting Laws, explained procedures concerning e-mail communications, and answered Board members' questions.

9. HEARING ON DENIAL OF LICENSE APPLICATION – ELIZABETH SIKORA, Ph.D.

Dr. Cox announced that it was time and place for the hearing on denial of licensure of the application of Elizabeth Sikora, Ph.D. Dr. Sikora was present with her attorney, Christopher Rapp, Esq., who introduced themselves as did Board members and staff. Ms. Campbell was present representing the State, and Victoria Mangiapane, Esq. was present from the Solicitor General's Office, as legal counsel for the Board. A court reporter was present and the transcript shall serve as the official record of the proceeding.

Mr. Rapp made an opening statement to the Board, after which Ms. Campbell also made an opening statement. Dr. Sikora was then sworn in by the court reporter, read a statement to the Board, answered questions from her attorney and entered exhibits into evidence. Ms. Campbell

then cross-examined Dr. Sikora, followed by follow-up questions from her attorney and Board members. Ms. Campbell then called Mr. Marcus Harvey as a witness who was also sworn in and answered her questions. Mr. Rapp then made a closing statement to the Board, followed by a closing statement from Ms. Campbell.

Board members then proceeded to deliberate. A motion was made by Dr. Lovejoy, seconded by Mr. Rimm, to offer Dr. Sikora a consent agreement, approving her to take the EPPP, and if she passes, placing her on probation for six months, with all of the standard terms of probation, during which time she would have two 5-hour in-office practice reviews by a practice management consultant approved by the the Board who would review her practice and certify to the Board that her practice management procedures are within community standards for the practice of psychology. Dr. Sikora would be found in violation of A.R.S. § 32-2061(A)(13)(b) and (r). The motion carried (6-1), with Dr. Paul voting no. Dr. Sikora and her attorney stated that the terms of the consent agreement were acceptable to them.

10. MID-AFTERNOON BREAK

11. COUNSEL REPORTS – Litigation – Discussion/Decision Regarding:

- **Kalas v. Board – CV2004-0200** – Drs. Cox and Mellott stated that they had worked with Dr. Kalas several years ago in educational and training capacities, but that it would not prejudice their ability to remain impartial in their case. Ms. Campbell reminded the Board that this case was currently in litigation and suggested that the Board receive its legal advice in Executive Session. A motion was made by Dr. Lovejoy, seconded by Dr. Wiggins, and unanimously carried (7-0), to move into Executive Session for the purposes of obtaining confidential legal advice from the Board's attorney.

12. EXECUTIVE DIRECTOR'S REPORT

- **Financial** – Ms. McCarthy reported that at the end of December, halfway through the fiscal year, the Board had spent only 43%, of its appropriation, leaving the Board in good shape regarding expenditures. She then informed the Board that its budget request had been placed on a consent agenda at the Legislature and therefore would not have a hearing before the Appropriations Committee. Ms. McCarthy related that final budget figures would not be known until after the Legislature adjourned, but that she was confident that the Board would be appropriated at or near its request of \$344,400.
- **Update – Legislative Issues** – Ms. McCarthy then informed the Board that its bill, Senate Bill 1080 had passed out of the Senate, was now in the House of Representatives, and would be discussed by the Board under Agenda Item No. 15. The other bill that would affect the Board, Ms. McCarthy stated, was House Bill 2716 which would grant immunity from Board complaints for judicially appointed licensees. She noted that it appeared to be moving very slowly in the legislative process. She also informed the Board of House Bill 2786 which would specify new procedures for health professionals to transfer records. She noted that the Board might have to convene a conference call to take a position on this bill in the future. After some discussion, Dr. Lovejoy requested that the Legislative Committee meet to take a position on HB 2786.

13. LICENSING REPORT

- **New Licenses Issued** – Mr. Harvey reported that the Board had licensed the following 17 psychologists since the December 2, 2005 meeting, three of them by credential:

| | | | |
|------|--------------------------|------|------------------------------------|
| 3757 | Thomas Merrill, Ph.D. | 3765 | Tina Garby, Psy.D. |
| 3758 | William Hixon, Psy.D. | 3766 | Jeannine Morrone-Strupinsky, Ph.D. |
| 3759 | Sheri Andjelkovic, Psy.D | 3767 | Devin Marsh, Ph.D. |
| 3760 | Michael Breus, Ph.D. | 3768 | Lonnie Nelson, Ph.D. |
| 3761 | Dennis Burns, Ed.D. | 3769 | Stephen Gill, Ph.D. |
| 3762 | Linnus Pecaut, Ph.D. | 3770 | Thomas Anderson, Psy.D. |
| 3763 | Tracy Meagher, Psy.D. | 3771 | Kay Vogt, Psy.D. |
| 3764 | Stephen Blad, Ph.D. | | |

Mr. Harvey reported that the Board had issued 74 new licenses this year, which compared to 75 issued by the Board the previous year.

- **EPPP Results** – Mr. Harvey then reported that the following seven applicants had passed the Examination for Professional Practice in Psychology in December and January, with four failing:

Pass

Stephen Blad, Ph.D.
 Carol Collins, Ed.D.
 Tina Garby, Psy.D.
 Lesley Lutes, Ph.D.
 Jeannine Morrone-Strupinsky, Ph.D.
 Lonnie Nelson, Ph.D.
 Linnus Pecaut, Ph.D.

Fail

Winona Considine, Psy.D.
 Bonny Ilkovski, Psy.D.
 Gwendolyn Johnson, Ph.D.
 Donna Stevens, Psy.D.

- **New Applications** – Finally, Mr. Harvey reported that the Board had received 106 license applications in 2005, which compared to 97 applications received the previous year.

14. INVESTIGATIONS REPORT

- **New Cases Received** – Ms. Schaaf reported that the Board had received 44 new cases in 2005 which compared to 54 received by this time last year. Seven new cases, she reported, had been received since January 1, 2006, which compared to 5 new cases received by this time last year.
- **Cases Resolved** – Ms. Schaaf next reported that 5 cases had been resolved this calendar year, which compared to 1 case resolved by this time last year. The average number of days to resolve cases, was 74, Ms. Schaaf reported.

15. LEGISLATIVE COMMITTEE – DISCUSSION/DECISION REGARDING LANGUAGE REVISION TO SENATE BILL 1080

Ms. McCarthy informed the Board that the Senate had removed the language from the Board's bill, Senate Bill 1080, which would have given the Board discretionary authority in licensing individuals who had previously committed unprofessional conduct. Mr. Harvey then explained staff's proposed amendment that had been approved by the Board's Legislative Committee to re-insert a modified version of the language back into the bill. After some discussion, a motion was made by Dr. Lovejoy, seconded by Mr. Rimm, and unanimously carried (7-0), to accept the draft amendment and instruct the Board's lobbyist to try to get the amendment added to SB 1080.

16. DISCUSSION/DECISION REGARDING APPLICATIONS FOR LICENSURE

- **REQUESTS FOR EXAMINATION**

Dr. Paul made a motion, seconded by Dr. Wiggins, and carried (6-0-1), with Dr. Mellott abstaining from the vote, that the following applicants, having met the requirements of A.R.S. § 32-2071 and A.A.C. R4-26-203, be approved to sit for the Examination for Professional Practice in Psychology (EPPP), and for licensure upon receipt of a passing score on the Examination, and payment of the pro-rated original license fee:

- **Heather Barrons, Psy.D.**
- **Kathy Bohan, Ed.D.**
- **Linda Cunningham, Ph.D.**
- **Kristin Day-Hardwig, Psy.D.**
- **Kristi Fuller, Psy.D.**
- **Patricia Hernandez, Psy.D.**

➤ **RATIFICATION OF LICENSE ISSUED BY CREDENTIAL**

Dr. Paul then made a motion, seconded by Dr. Wiggins, and unanimously carried (7-0), to ratify the issuance of licensure by credential to **Stephen Gill, Ph.D.**, who had met the requirements of A.R.S. § 32-2071.01.

Dr. Paul then announced that the following applications remained ongoing:

- **Melissa Bailey Arizpe, Psy.D.**
- **Michael Christiansen, Ph.D.**
- **Mary Cost, Psy.D.**
- **Ariel Coyote, Psy.D.**
- **Tracy Heinz, Psy.D.**
- **Bruce Leininger, Ph.D.**
- **Ronald Summerhill, Psy.D.**
- **Fred Vanhose, Ph.D.**

Dr. Paul then addressed two issues that were of concern to the Applications Review Committee: the requirements of the internship written statement and the completion of internships and postdoctoral experience at the same sites. She suggested that these might be issues for the Legislative Committee to address in the future and stated that she would communicate that to Board staff via a memorandum.

17. DISCUSSION/DECISION REGARDING SELECTION OF DELEGATE TO ATTEND ASPPB MIDWINTER MEETING IN SANDESTIN, FLORIDA ON APRIL 20-23, 2006

Ms. McCarthy indicated that the Board had the funds to send one Board member to attend this Association of State and Provincial Psychology Boards (“ASPPB”) Midwinter Meeting and that it was the Board’s practice to send the new members to the meetings. It was the consensus of the Board to select Dr. Mellott to attend the ASPPB Midwinter Meeting, and Dr. Mellott indicated that she would be happy to represent the Board.

18. ADJOURNMENT

There being no further business to come before the Board, a motion was made by Dr. Lovejoy, seconded by Dr. Paul, and unanimously carried (7-0), to adjourn the meeting at 3:50 p.m.

Prepared by:

**Marcus Harvey
Deputy Director**

Respectfully submitted,

**/s/ Gary D. Lovejoy, Ph.D.
Secretary**